The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

MISSISSIPPI TERRITORY.

AN ACT in addition to, and amendment of, the regulations of the Governor, for the permanent establishment of the MILITIA of the Mississippi Territory.

Persons liable to military duty.

BE IT ENACTED, That all free white male citizens between the ages of twenty-one and forty-five years, except the officers of civil and military appointed by the President and Senate of the United States, or commissioned by the Governor, ministers of religious societies or sects now or may be established, and regularly ordained preachers of the Baptist, Methodist, Presbyterian, and Quaker denominations, only excepted, shall be liable to, and perform military

they shall be divided equably to the [illegible] of the commander in chief, into companies of horse and foot, and formed in the following manner

How to be organized.

Sixty-four ranks and files shall form a company of infantry, or riflemen, or a troop of horse.

Company [illegible].

[illegible]

and ensign, four sergeants, four corporals, a drummer and fifer.

To a troop of horse, one captain, one lieutenant, and one cornet, four sergeants, four corporals and one trumpeter.

Legions of Militia.

The whole militia of the territory shall, until the commander in chief may otherwise direct, be formed into two legions, and bear the names of the counties to which they shall respectively appertain, so soon as such shall be erected and laid off.

[illegible] shall command each [illegible], and there may be appointed such other field officers as the commander in chief may recommend. Field officers.

There shall also be appointed to each legion, an adjutant and a quarter master; and whenever the commander in chief shall believe it essential to the well ordering of the militia of this territory, he may appoint an inspector with the rank of a major or lieutenant colonel. Staff officers.

Each and every horseman shall furnish himself with a sword, one pistol, twelve rounds of cartridges, three flints, a priming wire, a small portmanteau, and such other arms and accoutrements as the commander in chief may direct. Arms &c. of the horsemen.

Every militia man who is enrolled for service on foot, shall furnish himself with a musquet and bayonet, cartridge box and Arms, &c. of foot soldier.

thirty rounds of cartridges, or rifle and tomahawk, powder horn and bullet pouch, with one pound of powder and four pounds of bullets, six flints, priming wires, brushes and knapsacks.

Fine for deficiency in arms, &c.

And every person enrolled in this militia, who shall be found deficient upon any muster day, in the arms ammunition and accoutrements, or any of them, herein ordered to be furnished, shall after a reasonable time given in the judgment of the legionary commandants, (not exceeding six months) to enable him to procure the same, at each and every time of default be fined in the sum of three dollars.

Arms of officers.

The officers shall be armed and accoutred as the privates, with the addition of swords only for the infantry.

Times of muster and exercise.

Upon the second saturday of each and every month, officers commanding companies

are to assemble and parade their men at such time and place as the may deem best adapted for their general convenience, and there diligently exercise them for the space of two hours, in marching, wheeling, firing with good aim, and the use of the bayonet for the infantry.

There shall be four field days in each and every year, to be [illegible] in chief, or the commandants of legions under his order, upon which the respective commands that can, in his judgement, with any convenience be assembled, must be exercised as legionary corps.

Field days.

If any person enrolled in the militia shal refuse or neglect to appear upon the regular stated muster or field days, after being informed by a commissioned or non commissioned officer of the time and place of parade, or shall refuse to do his duty when appearing,

Fine for not appearing on muster or field days.

he shall be fined in the ſum of three dollars for each default, except in caſe of abſence and when he ſhall render a ſufficient excuſe to his captain.

Fine for diſorderly conduct.

If any commiſſioned, non commiſſioned officer or private ſhall cauſe or promote any diſorder upon the regular ſtated muſter or field days, ſo as to impede or prevent the military exerciſes which may be ordered, he ſhall be tried by a court martial, and upon conviction thereof ſhall be fined in a ſum not exceeding ten dollars.

Fines how collected and diſpoſed of.

All fines are to be collected by a warrant of diſtreſs from the captain or ſenior officer of a company, directed to any one of the ſergeants, who is to levy upon the goods or chattels of the defaulter, and after advertiſing the ſame for five days, if the fine is not then paid, he ſhall proceed to ſell at public vendue to the higheſt bidder ſo much of the effects as will

anſwer the fine, and one dollar for his own uſe returning the overplus if any there be to the party who owned the property ſo diſtrained. and the fine levied ſhall by the officer from whom the warrant iſſued be paid unto the county treaſury for the uſe of the legions; and to be appropriated in ſuch way and manner as the field officers, or a majority of them, ſhall direct with the approbation of the commander in chief.

Guards how and when to be ordered

Upon any invaſion of this territory, or the appearance thereof, or domeſtic diſturbances actually exiſting or apprehended, the commander in chief or commandants of counties, in preſſing emergencies where the commander in chief cannot ſeaſonably be reſorted to, are authoriſed to make ſuch detachments for guards, patrols, and other military duty as the public exigencies may in his, or their opinion, require (provided that in all caſes where de-

tachments are ordered by commandants of legions, report thereof shall be made without delay to the commander in chief) and in case of refusal to appear and perform duty under such authority, or disobedience or neglect of orders in time of service, the defaulter shall be deemed guilty of cowardice and be heard tried and sentenced by a court martial.

Disobedience how punished.

Duty of officers.

All officers shall be attentive to the forming, disciplining, parading and comanding their respective corps, and to such other duties as shall respectively bind them by this law; and by the order, from time to time to be given them by the commander in chief or other their superior officers.

For neglect thereof to be tried by a court martial.

If any officer shall be guilty of a breach of this law or in any respect violate or neglect his duty, he shall be heard tried and sentenced by a court martial.

A court martial shall not conſiſt of more than nine members, nor leſs than three, whereof one at leaſt ſhall have rank ſuperior to that of a lieutenant. Members of a court martial.

Courts martial may be appointed by the commander in chief, or the commandants of legions, but the commander in chief only ſhall have the power of approving and carrying into effect ſentences of courts martial whereby the puniſhment ſhall be [illegible] officer caſhiered; and the commander in chief is authoriſed and impowered to remit fines that may be inflicted, where it ſhall appear from the oaths of two credible witneſſes that the perſon fined is unable to pay the ſame without great diſtreſs to himſelf or family. Courts martial how appointed.

The free male inhabitants above the age of fifty ſhall arm and accoutre themſelves either as the cavalry, or thoſe who ſerve on Males above the age of 50 to ſerve in the militia.

ſhot (at their own option) but they ſhall not be liable to military ſervice except in caſes of actual invaſion, and under the immediate direction of the commander in chief.

The foregoing is hereby declared to be a law of the Miſſiſippi Territory, this twenty-eight day of February, anno domini one thouſand ſeven hundred and ninety-nine. In teſtimony of which we have underſigned our names, and cauſed the public ſeal to be thereunto affixed.

WINTHROP SARGENT,
PETER BRYAN BRUIN,
DANL. TILTON.